

U.S. Senate Republican Policy Committee
Larry E. Craig, Chairman Jade West, Staff Director
Legislative Notice

No. 66

June 28, 2000

**H.R. 4578 – Department of Interior and Related
Agencies Appropriations Bill, FY 2001**

Calendar No. 628

Reported by the Committee on Appropriations, by a vote of 28-0, on June 22, 2000. S. Rept. 106-312.

NOTEWORTHY

- H.R. 4578 contains \$15.51 billion for Interior and Related Agencies which is \$602.6 million more than the 2000 appropriations and \$805.5 million less than the Administration's request.
- Oil and gas leasing and other mineral leasing activities, the timber and range programs, and oil production from the naval petroleum reserves are estimated to generate income to the United States of \$8.7 billion in FY 2001, \$1.38 billion more than in FY 2000.
- The Committee provides \$7.72 billion for Department of the Interior programs, \$687.8 million less than the President's request and \$7.8 billion for Related Agencies, \$117.7 million less than the President's request.
- H.R. 4587 bans the use of funds to complete some forest management plans until the Department of Agriculture issues revised planning regulations.
- The Committee again this year is refusing to fund the Clinton/Gore Administration's "Lands Legacy Initiative" as a set-aside program as proposed in its budget request.
- The Committee, as it did last year and the year before, admonishes that none of the funds contained in the legislation may be used to implement the 1997 Kyoto Protocol, which still has not been sent to the Senate for ratification.
- The House passed H.R. 4578 on June 16 by a vote of 204-172.

HIGHLIGHTS

H.R. 4578 provides funding for all of the agencies and bureaus of the Department of the Interior (except the Bureau of Reclamation), as well as the following other agencies: Forest Service (an agency of the USDA); a number of programs under the Department of Energy, including the Strategic Petroleum Reserve account; Indian Health Service (funded through the Department of Health and Human Services); and a variety of cultural programs and agencies, including the Smithsonian Institution, National Gallery of Art, and the National Foundation on the Arts and Humanities.

Among the substantial revisions to the Administration's request are funds for the Bureau of Land Management (\$63 million less than requested); Fish and Wildlife Service (\$211 million less than requested); National Park Service (\$232 million less than requested); Bureau of Indian Affairs (\$115 million less than requested); Forest Service (\$125 million less than requested); Indian Health Service (\$87 million less than requested); and the Department of Energy's programs provided for in this bill (\$194 million more than requested).

The Committee refuses to fully fund the Administration's request for the Land and Water Conservation Fund (LWCF) which has been characterized as the President's **"Lands Legacy Initiative."** Last year the Committee chided the Administration for attempting to redefine the purposes for which LWCF funds can be spent: "The Administration's budget proposes to draw on the Land and Water Conservation Fund for at least \$322 million in programs that are either brand new, or authorized under statutes other than the LWCF Act and have never been supported by the Land and Water Conservation Fund" [S. Rept. 106-99].

This year the Committee again refuses to fund the President's "Lands Legacy" request noting, "What makes the Administration's fiscal year 2001 Lands Legacy proposal unique, however, is that it proposes to fence off the total amount of funding provided for the component programs, leaving the Committee with no flexibility in this fiscal year, or future fiscal years, to weigh the merits and requirements for Lands Legacy programs against any of the other critical activities funded by this bill" [S. Rept. 106-312, p. 5].

The Committee continues to admonish agencies funded by the Interior Appropriations bill not to ask for or use funds to implement the **Kyoto Protocol on Climate Change** and to provide any requests for additional funds in these areas early in the year. This same request was made last year because several agencies failed to provide reports until very late in the budget and appropriations process.

BILL PROVISIONS

Title I: Department of the Interior

The Committee provides \$7.72 billion for the Interior Department in FY 2001, \$687.8 million below the Administration's request and \$397.4 million more than the amount appropriated for FY 2000.

Bureau of Land Management: The Committee recommends an appropriation of \$1.3 billion for BLM, a reduction of \$62.7 million from the Administration's request, yet \$64.8 million more than Congress appropriated for FY 2000. The Administration requested \$60.9 million for land acquisition, but the bill provides \$10.6 million, which is \$4.9 million below the FY 2000 amount. The Committee includes \$172.1 million for land resource management, \$38.8 million for wildlife and fisheries management, \$58.4 million for recreation management and \$79.9 million for energy and minerals management. The Committee also provides \$292.7 million for Wildland Fire Management, and \$145 million for Payments in Lieu of Taxes.

The bill provides for the renewal of grazing permits on Bureau of Land Management Land under the same terms and conditions until BLM can process the permit renewals.

Fish and Wildlife Service: The Committee provides \$916.1 million for the Service, \$210.5 million less than the Administration's request and \$41 million more than the appropriation for FY 2000. The Committee provides \$758.4 million for resource management which is \$3.5 million less than the Administration's request and \$43.9 million more than the amount appropriated for FY 2000. Included in this amount is \$348.2 million for Refuges and Wildlife and \$87.1 million for Fisheries, \$4.5 million more than the Administration request. In addition, H.R. 4578 provides \$46.1 million for land acquisition, which is \$65.5 million less than the budget request. The Administration requested \$100 million for state non-game wildlife grant funds, yet no funding is provided in the reported bill.

National Park Service: The Committee provides \$1.81 billion for the National Park Service for FY 2001, \$231.7 million less than the Administration's request and \$6.7 million more than the appropriation for FY 2000. The Committee provides \$1.44 billion for operation of the National Park System, \$10.3 million less than the Administration's request and \$80 million more than the FY 2000 appropriation. This includes \$279.4 million for resource stewardship, \$279.9 million for visitor services, \$449.2 million for maintenance, and \$262 million for park support.

For Park Service Land Acquisition and State Assistance, the Committee provides \$87.1 million which is \$33.6 million less than the FY 2000 appropriation and \$210.3 million less than the budget request.

U.S. Geological Survey: The Committee recommends an appropriation for surveys, investigations, and research of \$847.6 million, \$47.8 million less than the Administration's request but \$34.2 million more than FY 2000.

Minerals Management Service: The Committee recommends \$140.1 million for Royalty and Offshore Minerals Management and oil spill research, \$118,000 less than the Administration's request, but \$23.8 million above the amount enacted for FY 2000. It is estimated that the Minerals Management Service will collect and distribute \$6.2 billion from over 80,000 Federal and Indian leases in FY 2001 or \$2.2 billion more than the estimate for FY 2000.

Office of Surface Mining: The Committee allows \$302.5 million, \$6.7 million less than the Administration's request and \$10.8 million more than the FY 2000 appropriation. This includes \$100.8 million for regulation and technology and \$201.4 million for the Abandoned Mine Reclamation Fund.

Native American Programs

Bureau of Indian Affairs: The Committee provides \$2.09 billion, which is \$115.1 million below the Administration's request, but \$216.9 million more than the amount appropriated for FY 2000. The Committee recommends \$515.3 million for education, \$13.1 million more than the FY 2000 appropriation. The Administration requested \$90 million more than the \$1.70 billion provided for operation of Indian Programs.

Indian Health Service (in Title II): H.R. 4578 provides \$2.53 billion for the Indian Health Service, which is under the Department of Health and Human Services. The amount is \$86.7 million less than the budget request and \$143 million more than the FY 2000 appropriation. The Committee's recommendation includes \$1.72 billion for clinical services (an amount which is \$47.5 million below the request) and \$94.4 million for preventive health.

Other Native American Programs (Title II): The bill provides \$15 million for the Office of Navajo and Hopi Indian Relocation and \$4.1 million for the Institute of American Indian and Alaska Native Culture and Arts Development.

Title II: Related Agencies

For Title II, related agencies, the Committee provides \$7.8 billion, \$470.7 million more than the FY 2000 appropriation and \$117.7 million less than the budget request.

Forest Service (Department of Agriculture): For the USFS, the Committee provides \$2.99 billion, \$165.4 million more than the FY 2000 appropriation, and \$124.7 million less than the budget request. For specific programs, the Committee recommendation includes:

- For the National Forest System, the Committee recommends \$1.23 billion, \$52.7 million less than the budget estimate and \$85.9 million more than the FY 2000 appropriation. Of that, the Committee recommends \$214.4 million for Recreation, Heritage, and Wilderness, \$10.5 million more than the FY 2000 appropriation and \$34.9 million less than the budget request. For Forest Products, the Committee provides \$245.8 million, an increase of \$7.9 million from the FY 2000 appropriation, and \$15.4 million more than the budget request. [See, also, discussion below.] The Committee provides \$119.9 million for Wildlife, Fish,

and Rare Plant Habitat, \$5.1 million more than the FY 2000 appropriation and \$15.6 million less than the budget request.

- \$76.3 million for Land Acquisition, \$3.5 million less than the FY 2000 appropriation and \$53.95 million less than the budget estimate.
- For Capital Improvement and Maintenance (which includes facilities, roads, and trails), the Committee provides \$448.3 million, an increase of \$7.9 million from the FY 2000 appropriation, and \$23.4 million more than requested. For road maintenance and capital improvement, the Committee provides \$228.2 million, \$8.6 million more than the comparable FY 2000 amount and \$10.3 million more than the administration request. The Committee provides \$155.5 million for facilities under this account, and \$64.6 million for trails.
- \$221.97 million for Forest and Rangeland Research, \$4.3 million more than FY 2000 and \$9 million less than the budget request.
- \$226.3 million for State and Private Forestry, \$35.1 million less than the budget request and \$23.3 million more than the FY 2000 appropriation.
- \$768.5 million for Wildland Fire Management (an amount which includes \$150 million provided for contingency emergencies), \$60.5 million more than the FY 2000 appropriation and \$1.87 million more than the budget request.

Forest Products: Last year the Committee noted that the timber program had declined more than 75 percent over the last decade. In spite of this, this Administration proposed in the FY 2000 budget request to reduce funding for the timber sales by more than 13 percent for FY 2000. The Committee also noted last year that it would continue to reject Administration requests designed to promote the downward spiral of the timber sales program.

Once again, the Committee is not pleased with the Forest Service's continued failure to follow Congress' direction in this regard. "The Committee is frustrated with the agency's failure to meet congressionally directed timber targets. For the last year that data is available, fiscal year 1999, the Forest Service's offer level was 40 percent below congressional direction. For fiscal year 2001, the Committee has provided sufficient funds to offer the same level (3.6 billion board feet) as should be offered by the agency in fiscal year 2000. Given the Forest Service's poor record of accomplishment, however, language has been included in the Administrative Provisions portion of the bill requiring the agency to report back to the Committee by March 1, 2001, on the expected offer level for fiscal year 2001, and to submit a reprogramming request, if necessary, to attain the 3.6 billion board feet level" [S. Rept. 106-312, p. 76].

The Committee also directs the Service to continue to submit its quarterly reports on the timber sales program and that those reports now contain information on the volumes of timber offered, sold, and harvested as net merchantable sawtimber.

Department of Energy

For the Department of Energy, the Committee provides \$1.36 billion, \$128.9 million more than FY 2000 and \$194.2 million more than the budget request.

Fossil Energy R&D: The Committee provides \$401.3 million for fossil energy research and development, which is \$25.8 million more than the budget request and \$7.9 million more than the FY 2000 appropriation. The Committee recommendation includes:

For Coal and Power Systems – \$202.2 million, \$8.4 million more than the budget request and \$10.2 million less than the FY 2000 appropriation.

For Natural Gas Technologies – \$39.8 million, \$1.03 million more than the budget request and \$8.2 million more than the FY 2000 appropriation.

For Petroleum Oil Technology – \$51.5 million, \$1.05 million less than the budget request and \$5.7 million less than the FY 2000 appropriation.

Energy Conservation: H.R. 4578 provides \$759.9 million for energy conservation, an increase of \$39.7 million from the FY 2000 appropriation and \$88.6 million lower than the budget request. The Committee has again made a significant reduction in the budget request because it continues to be dissatisfied with the quality of the budget justification for energy conservation programs that the Administration is using to further its “climate change initiative.” [For a complete description of allocations for energy conservation, see page 92 of the S. Rept. 106-312.]

Strategic Petroleum Reserve: The Committee recommends \$157 million for operation of the strategic petroleum reserve, \$1 million less than the budget request and \$1.39 million below the FY 2000 appropriation. The Committee does not recommend an appropriation for the acquisition of crude oil for the reserve.

Cultural Programs

National Endowment for the Arts: The Committee recommends an appropriation of \$105 million for grants and administration of the National Endowment for the Arts, \$7.4 million above the FY 2000 appropriation and \$45 million below the budget request.

National Endowment for the Humanities: The Committee recommends an appropriation of \$120.3 million, \$5 million above the FY 2000 appropriation and \$29.7 million below the request.

Smithsonian Institution: The Committee recommends \$449.9 million for the Smithsonian, \$13.2 million below the budget request, but \$11.7 million more than FY 2000.

Title III: General Provisions

The Committee has included 44 provisions that are described beginning on page 111 of the Committee Report and page 204 of the bill text. In addition to the usual provisions such as Buy

American and the Mining Patent Moratorium, the bill contains specific directions regarding management and spending.

ADMINISTRATION POSITION

No Administration position had been published at press time, but one was anticipated. A Statement of Administration Policy (SAP) was issued for the House version of H.R. 4578, in which the Administration objected to a number of provisions that are similar to those contained in H.R. 4578 as reported to the Senate. The Administration did not threaten to veto the House version.

COST

The Committee, in consultation with CBO, estimates the bill would result in outlays of \$10.14 billion in FY 2001, \$3.9 billion in FY 2002, \$982 million in FY 2003, \$412 million in FY 2004, and \$99 million in FY 2005. The bill is at the Committee's allocation of \$15.47 billion for discretionary budget authority and \$2 million below the Committee's \$14.251 billion allocation for outlays.

POSSIBLE AMENDMENTS

Bryan. To cut funding for the timber program administered by the Forest Service and restore funding for Forest Service environmental programs and for debt reduction.

Other amendments are likely but not available at press time.

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